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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,416	01/09/2004	Nan-Yuan Huang	2450-0624P	6383

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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

PATTERSON, MARC A

ART UNIT	PAPER NUMBER
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1772

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/753,416	Applicant(s) HUANG, NAN-YUAN	
	Examiner Marc A. Patterson	Art Unit 1772	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☒ Claim(s) 1-7 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Objections

1. Claims 1 – 7 are objected to because of the following informalities: The meaning of the phrase ‘flat bonding’ is unclear. For purposes of examination, the phrase will be interpreted to mean any film. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 3 and 6 – 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilkey (U.S. Patent No. 6,223,499 B1).

With regard to Claim 1, Wilkey discloses a wrapping film (wrapper cut from film; column 2, lines 41 – 43), therefore used to cover goods, and an adhesive bonding which is a contact adhesive applied as a stripe (column 2, lines 41 – 44) on one surface of the wrapping film (adjacent an edge of the wrapper; column 2, lines 42 – 44; Figure 2); the adhesive bonding bonds one side of the film to another side of the film which it overlaps (the two opposite edges overlap and adhere together by means of the stripe; column 2, lines 47 – 50) and the adhesive bonding is therefore a double – sided adhesive bonding; the properties of the film achieving a fast, convenient and simple wrapping effect are inherent to Wilkey, as Wilkey discloses a wrapping film which is identical to the claimed wrapping film. However, the claimed aspect of the film

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achieving a fast, convenient and simple wrapping effect are directed to an intended use of the film, rather than a structural limitation, and are therefore given little patentable weight.

With regard to Claim 2, the wrapping film disclosed by Wilkey is preferably made from a shrinkable film (heat – shrinkable material; column 2, lines 50 – 51); Wilkey therefore discloses the use of a shrinkable film or non – shrinkable film, and therefore discloses a wrapping film that is selectively a shrinkable film or a non – shrinkable film.

With regard to Claim 3, Wilkey discloses a film that is heat – shrinkable, as discussed above, and Wilkey therefore discloses a film that is processed in a heating apparatus; however, the claimed aspect of the film being processed in a heating apparatus is directed to a process limitation, rather than a structural limitation, and is therefore given little patentable weight.

With regard to Claims 6 – 7, the double – sided adhesive has three stripes (stripes '21,' '22' and '23' shown in Figure 1; column 2, lines 58 – 67; column 3, lines 1 – 6) and therefore has two stripes and more than two stripes.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4 – 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilkey (U.S. Patent No. 6,223,499 B1) in view of Hanemann (U.S. Patent No. 3,739,544).

Wilkey discloses a wrapping that is shrinkable or non – shrinkable as discussed above.

With regard to Claim 4, Wilkey fails to disclose a shrinkable film comprising polyethylene.

Hanemann teaches a wrapping that is shrinkable (shrunk – on wrapping; column 2, lines 16 – 20) comprising polyethylene (column 2, lines 16 – 20) for the purposes of using a wrapping which is economical (column 2, lines 26 – 28). One of ordinary skill in the art would therefore have recognized the advantage of providing for the polyethylene of Hanemann in Wilkey, which comprises wrapping that is shrinkable, depending on the desired economics of the end product.

It therefore would have been obvious for one of ordinary skill in the art at the time Applicant's invention was made to have provided for a wrapping comprising polyethylene in Wilkey in order to use a wrapping which is economical as taught by Hanemann.

With regard to Claim 5, because Wilkey discloses a wrapping that is shrinkable or non – shrinkable, it would also be obvious for one of ordinary skill in the art to have provided for a wrapping comprising non – shrinkable polyethylene in Wilkey in order to use a wrapping which is economical as taught by Hanemann; Hanemann also teaches the interchangeable use of polyethylene and polypropylene as wrapping films (column 2, lines 16 – 20) and therefore it would also be obvious for one of ordinary skill in the art to have provided for a wrapping comprising non – shrinkable polypropylene in Wilkey in order to use a wrapping which is economical as taught by Hanemann.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc A Patterson whose telephone number is 571-272-1497.

The examiner can normally be reached on Mon - Fri 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marc Patterson 10/17/05
Marc A. Patterson, PhD.
Examiner
Art Unit 1772